

BILL NO. X-86- 09-07

ANNEXATION ORDINANCE NO. X- 06-86

ANNEXATION ORDINANCE annexing certain territory commonly known as the Merak Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 5.

WHEREAS, at least fifty-one percent (51%) of the owners and owners of more than 75% of the assessed value of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, said territory is adjacent to the corporate limits; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory shall be annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, in accordance with the conditions set forth herein: to-wit:

Part of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana; thence South along the East line of the SW 1/4 of Sec. 36-30-12, a distance of 400.0 feet to the Point of Beginning; thence continuing South along said East line of the SW 1/4 of Sec. 36-30-12, 2060.0 feet; thence West with a deflection angle to the right of 89 degr. 35 min. 40 sec. a distance of 1314.0 feet to a point on the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12; thence North with a deflection angle to the right of 90 degr. 19 min. and along the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 1148.0 feet; thence West with a deflection angle to the left of 90 degr. 22 min. 30 sec. along the South line of the N 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 656.34 feet; thence North with a deflection angle to the right of 90 degr. 27 min. 50 sec. a distance of 914.0 feet; thence East with a deflection angle to the right of 89 degr. 38 min. and parallel to the



1 North line of the SW 1/4 of Sec. 36-30-12, a  
2 distance of 1972.12 feet to the Point of Begin-  
3 ning, containing 75.98 acres, more or less.

4 SECTION 2. That the City of Fort Wayne will  
5 furnish the above described territory within a period of one  
6 (1) year from the effective date of annexation, planned  
7 services of a non-capital nature, including police protection  
8 and fire protection, in a manner which is equivalent in  
9 standard and scope to those non-capital services provided to  
10 areas within the City of Fort Wayne which have similar topo-  
11 graphy, patterns of land utilization and population density to  
12 the said described territory. The City of Fort Wayne will  
13 also provide services of a capital improvement nature, includ-  
14 ing sewer facilities, water facilities and stormwater drainage  
15 facilities to the annexed territory within three (3) years of  
16 the effective date of annexation, in the same manner as such  
17 services are provided to areas already in the City of Fort  
18 Wayne with similar topography, patterns of land utilization and  
19 population density, and in a manner consistent with federal,  
20 state, and local laws, procedures, and planning criteria.

21 SECTION 3. That governmental and proprietary services  
22 will be provided to the above described territory in a manner  
23 consistent with the written Fiscal Plan for the territory  
24 developed by the Division of Community Development and Plan-  
25 ning. Said Plan was examined by the Common Council of the City  
26 of Fort Wayne and is approved and adopted by the Common Council  
27 by and upon the passage of this Ordinance.

28 SECTION 4. That said described territory shall be a  
29 part of Councilmanic District No. 5 of the City of Fort  
30 Wayne, Indiana, as described in Division I, Section 2-9 of  
31 Chapter 2 of the Municipal Code of the City of Fort Wayne,  
32 Indiana of 1974, as amended.

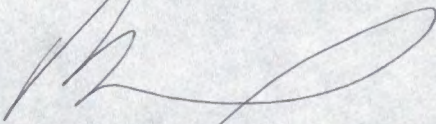


1           Section 5. That after its passage, approval by the  
2 Mayor, and due legal publication, this Ordinance shall be in  
3 full force and effect sixty (60) days after the date of last  
4 publication. The above described territory shall become a part  
5 of the City of Fort Wayne sixty days after the date of last  
6 legal publication.

7  
8 

9 COUNCILMEMBER

10  
11 APPROVED AS TO FORM AND LEGALITY

12 

13  
14 BRUCE O. BOXBERGER, CITY ATTORNEY

15  
16  
17 Fox River Bond  
18 25% COTTON  
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Read the first time in full and on motion by Redd, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.

DATE: 9-9-86 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Redd, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	_____	_____	_____	_____
BRADBURY	<u>✓</u>	_____	_____	_____	_____
BURNS	<u>✓</u>	_____	_____	_____	_____
EISBART	<u>✓</u>	_____	_____	_____	_____
GiaQUINTA	<u>✓</u>	_____	_____	_____	_____
HENRY	<u>✓</u>	_____	_____	_____	_____
REDD	<u>✓</u>	_____	_____	_____	_____
SCHMIDT	<u>✓</u>	_____	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 9-23-86 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. X-06-86 on the 23rd day of September, 1986,

ATTEST: (SEAL)  
Sandra E. Kennedy Samuel J. Talarico  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1986, at the hour of 11:00 o'clock P. M., E.S.T.  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24 day of September, 1986, at the hour of 3:00 o'clock P. M., E.S.T.  
Win Moses, Jr.  
WIN MOSES, JR., MAYOR



Admn. Appr. \_\_\_\_\_

## DIGEST SHEET

X-86-09-07

**TITLE OF ORDINANCE** Voluntary Annexation of the Merak Area.**DEPARTMENT REQUESTING ORDINANCE** Community Development & Planning**SYNOPSIS OF ORDINANCE** Ordinance annexes territory proposed for future de-  
velopment.**EFFECT OF PASSAGE** Territory becomes part of the City. Other effects to  
be described by fiscal plan to be prepared by CD&P.**EFFECT OF NON-PASSAGE** Territory does not become a part of the City.**MONEY INVOLVED (Direct Cost, Expenditures, Savings)** To be described  
by fiscal plan to be prepared by Community Development & Planning.**ASSIGNED TO COMMITTEE (J.N.)** \_\_\_\_\_

BILL NO. X-86-09-07

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain territory  
commonly known as the Merak Area to the City of Fort Wayne,  
Indiana, and including same in the Councilmanic District No. 5

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~) XXXXXXXXXXXX

YES

NO

Charles B. Redd CHARLES B. REDD  
CHAIRMAN

Ben A. Eisbart BEN A. EISBART  
VICE CHAIRMAN

Donald J. Schmidt DONALD J. SCHMIDT

James S. Stier JAMES S. STIER

Janet G. Bradbury JANET G. BRADBURY  
CONCURRED IN 9-23-86

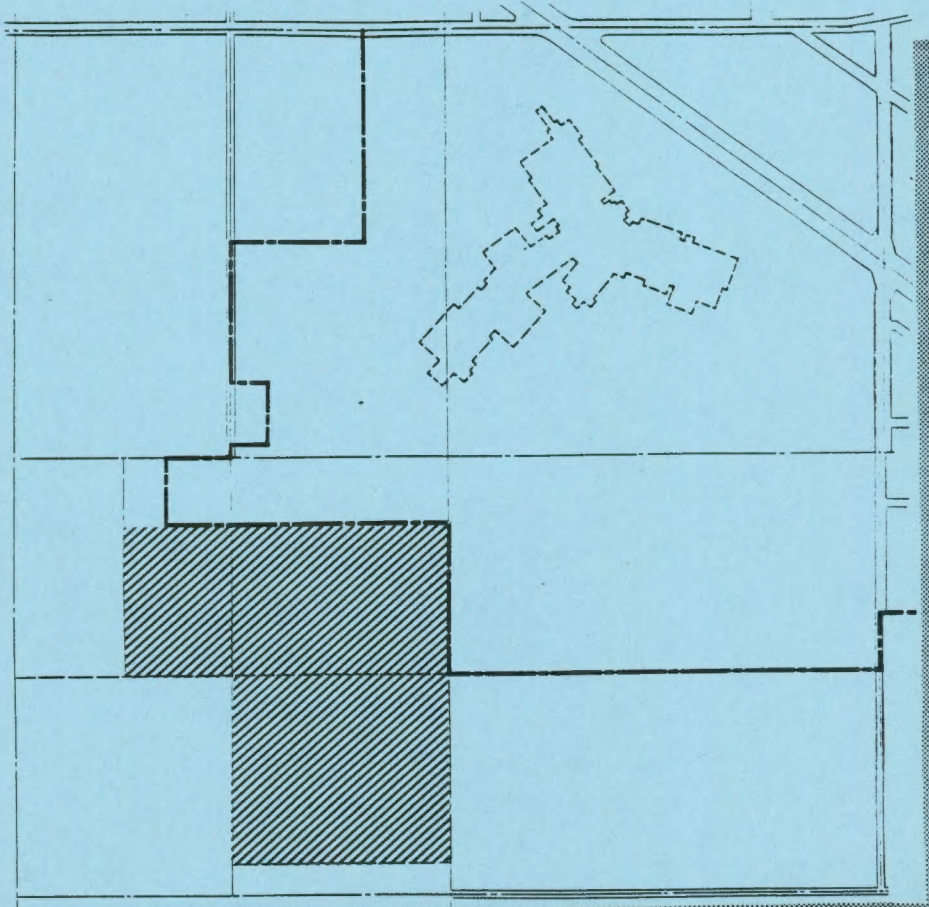
SANDRA E. KENNEDY  
CITY CLERK



# ANNEXATION FISCAL PLAN

CITY OF FORT WAYNE  
WIN MOSES, JR., MAYOR

Merak



ADMINISTRATION AND POLICY DIRECTION

Win Moses, Jr.  
Mayor  
City of Fort Wayne

Greg Purcell  
Director  
Division of Community Development and Planning

V.C. Seth, AICP  
Director of Planning

Fort Wayne City Plan Commission  
Benjamin Eisbart, President  
Edith Kenna, Vice-President  
Melvin Smith, Secretary  
Duane Embury  
Herman Friedrich, Jr.  
Robert Hutner  
Stephen Smith  
John Shoaff

RESEARCH AND PREPARATION

Michael Graham, Senior Planner  
Robert Woenker, Planner II



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## INTRODUCTION

On June 23, 1986 the Division of Community Development and Planning received a petition from Merak Corporation for the annexation of approximately 76 acres of undeveloped land southwest of Southtown Mall Shopping Center. An 822 unit multi-family residential development has been proposed for the area subsequent to annexation.

The Merak Annexation satisfies the criteria of the Indiana State Statutes. This plan describes the area to be annexed; sets forth a plan to provide municipal services; and summarizes the financial impact of annexation upon the City.



## SECTION ONE

### BASIC DATA

#### A. Location

The area petitioning for voluntary annexation is bounded on the north by the existing Fort Wayne city limits, on the east by the north-south centerline of Section 36 and on the south and west by certain property lines. (See Location Map - Figure Page 2)

#### B. Size

The Merak Annexation contains approximately 76 acres.

#### C. Population

The population of the annexation area is 0 and there are no residential structures in the area.

#### D. Land Use

Presently the land is vacant, but plans have been submitted for multi-family residential development of the area.

#### E. Zoning

The Merak Annexation area has only one zoning classification: RS-1 (Suburban Residential). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and will be classified R1 (Single Family Residence District). The petitioner has filed for a zoning change from R-1 to RA for the property.

#### F. Assessment

\$9,700

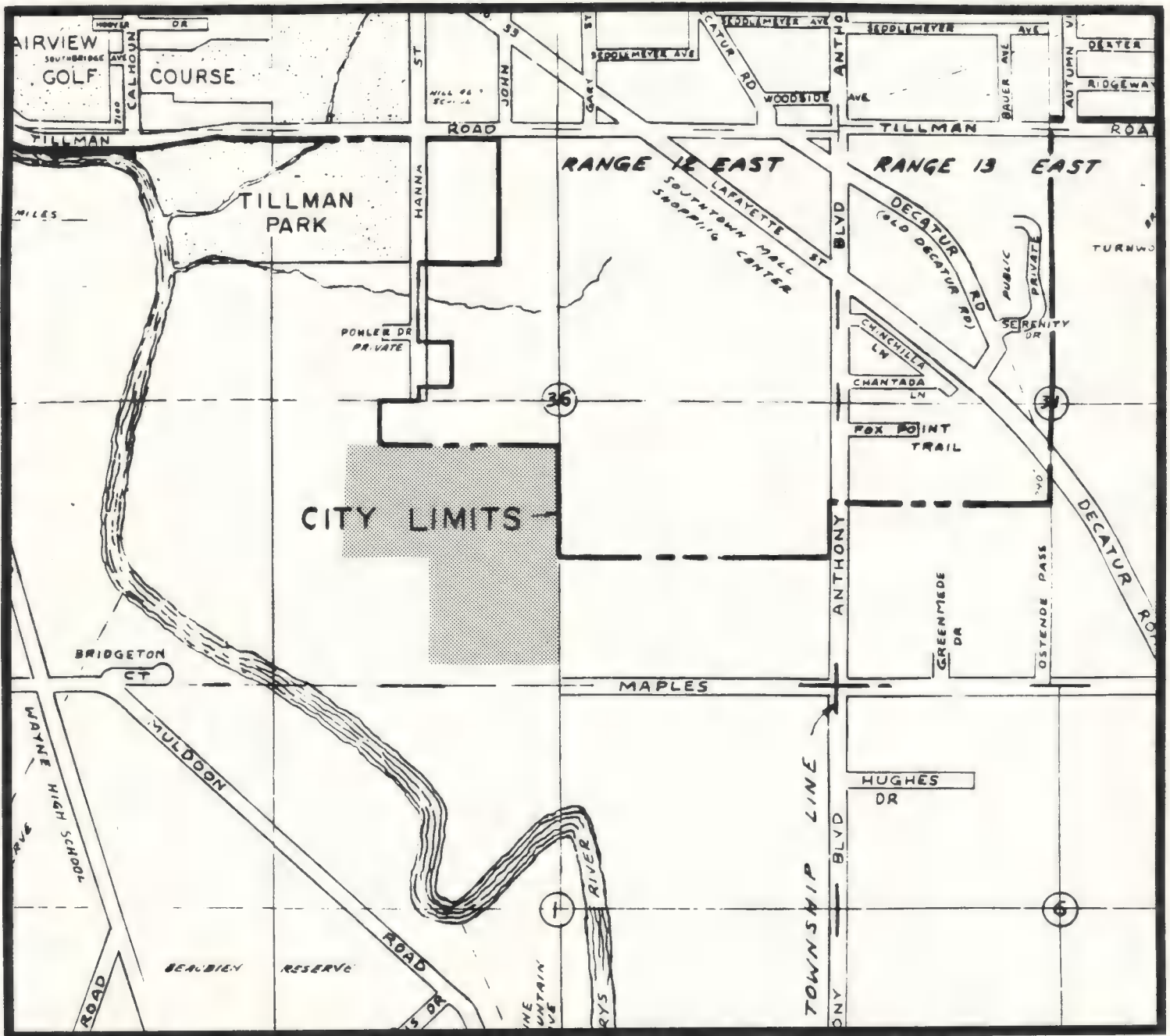
#### G. Tax Rate

Existing \$7.0077	After Annexation \$9.9146	Increase 2.9069 or 41.5%
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#### H. Council District

The annexation area will be in City Council District 5.





location



## SECTION TWO

### THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the Merak area is part of a larger, comprehensive annexation program that was promulgated in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City Limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Merak area met this criteria in 1975-76, the report identified it as part of a larger area, WAY-3, which was recommended for annexation.



### SECTION THREE - STATE LAW REQUIREMENTS

State law stipulates that if an area is one-eighth contiguous to the City, it can be annexed voluntarily if 51% of the property owners in the territory sought to be annexed, or owners of 75% of the total assessed value of the land petition for an ordinance annexing the area.

The area meets the contiguity requirements in that it is over one eighth contiguous to the City of Fort Wayne, being 32.6% contiguous to city boundaries.

The area also meets the second requirement, as 100% of the property owners in the area have petitioned for annexation.

Therefore, the Merak Annexation complies with the relevant state law requirements.



## SECTION FOUR

### MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Merak Annexation area. The Plan also describes how and when the City plans to extend the services of non-capital and capital improvement natures. As will be seen, the explanations of the above provisions satisfy the requirements of Indiana state law.

Presently, the Merak Annexation area is undeveloped. As a result, it is impossible to predict the exact amount of municipal services that will be needed after the area is developed. However, once the area is developed, a sufficient amount of revenue will be generated through tax revenue to provide the additional municipal services that the developed area will need.

The municipal services described in this section are analyzed according to the present needs of the Merak Annexation area, along with the costs of providing these services and the funding sources. As required by state law, the annexation area will be treated equally with other City areas and will receive urban services in the same manner as other areas within the City. However, because the City does not employ different service standards for different areas of the City, the annexation area is compared with the service standards as they exist for the entire City. The City of Fort Wayne will provide services of a non-capital nature, including police and fire protection, emergency medical service, traffic control, and street and road maintenance within one year after the effective date of annexation. The water, sewer, and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant state law and utility policies.

#### A. Police

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work, such as participation in court proceedings and protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.



District 9 will be expanded to cover the Merak Annexation area upon annexation. The Police Department keeps tabulation on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation.

Because this area is presently undeveloped, the costs to provide police protection to the Merak Annexation area will be minimal.

ESTIMATED ANNUAL COST: \$0

B. Fire Department

The Fort Wayne Fire Department will be responsible for providing fire protection services to the Merak Annexation area within one year after the annexation date. The services provided include fire protection and suppression, emergency rescue, fire prevention, and fire inspections. Primary response will come from Station 12 located at 5300 South Anthony Boulevard. Backup response will come from Station 11 located at 405 E. Rudisill Boulevard and Station 9 at 2530 Pontiac Street.

This particular annexation will not require a new fire station nor will it require additional personnel and equipment. The only additional expense that is expected will be from operating costs for such items as postage, printing, photography, and gasoline. However, the operating costs will be minimal considering the Merak Annexation area will be only a fraction of the total area serviced by the City. Funding for the operating costs will come from the Fire Department budget through the General Fund.

ESTIMATED ANNUAL COST: \$0

C. Emergency Ambulance Service

At the present time, the Three Rivers Ambulance Authority is the only provider of ambulance service for the City of Fort Wayne. The Merak Annexation area may receive full advanced life support ambulance service immediately upon annexation.

Using service run records of the past several years, as many as six ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. In addition, for some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station 12 located at 5300 South Anthony Boulevard. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician on duty at all times.



The method of financing emergency medical services is based primarily on user fees plus a small, decreasing City tax subsidy, which over the next few years should drop to zero, leaving user fees as the sole financial support of the system. The charges for ambulance service, as of May 1, 1986 are shown in Table 1.

TABLE 1

EMERGENCY AMBULANCE SERVICE

1. \$95 plus \$3 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. \$120 plus \$3 per loaded mile for non-scheduled non-emergency transfers.
3. \$359 for all emergencies (for City residents)
4. \$380 for all emergencies (for non-City residents)

This method of financing permits emergency medical service to be extended to the annexation area with its existing budget and no additional manpower or equipment will be needed to service the annexation area.

ESTIMATED ANNUAL COST: \$0

D. Solid Waste Disposal

The City of Fort Wayne provides garbage collection for residential customers immediately after the annexation date. This area is serviced by National Serv-all at the rate of \$33.96 per household per year. Collection service is financed by the City's Garbage Disposal Fund which comes from the General Fund. With no residential customers presently in the area, there is no annual cost to be estimated.

ESTIMATED ANNUAL COST: \$0

E. Traffic Control

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area within one year after the annexation date. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. The department also provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems. Since there are no roads in the annexation area at this time, there will be no traffic control costs associated with the annexation.

ESTIMATED ANNUAL COST: \$0

F. Streets and Roads

The incorporation of the annexation area will not add any streets to the City's street system. However, the Street Department will provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area and will provide snow and ice removal and surface maintenance after construction. The provision of these services to the annexation area will not require any additional personnel or equipment, and they will be similar to those services already provided to the rest of the City. The source of funding for street maintenance is the Street Department budget which is composed of funds from Motor Vehicle Highway (MVH), Federal Aid Urban (FAU), and Local Arterial Roads and Streets (LARS) programs.

ESTIMATED ANNUAL COST: \$0

G. Parks

Future residents of the annexation area will have access to city park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. No new park facilities will need to be developed for the Merak Annexation area. Residents will be in close proximity to Tillman Park, a 70 acre community park.

ESTIMATED ANNUAL COST: \$0

H. Water

Upon annexation, the Fort Wayne Water Utility will not immediately provide water to the area. Petitions would need to be submitted to the Board of Public Works requesting main extensions.

ESTIMATED ANNUAL COST: \$0

I. Fire Hydrants

The City of Fort Wayne pays the Fort Wayne Water Utility \$181.50 annually for each fire hydrant located within the City. However, presently there are no fire hydrants in the annexation, so the above fee is not applicable.

ESTIMATED ANNUAL COST: \$0



J. Sanitary Sewers

The Fort Wayne Department of Water Pollution Control (WPC) has the capability of extending service into the area upon petition by the property owners. If property owners petition for sewers, they will have to pay for their installation.

ESTIMATED ANNUAL COST: \$0

K. Storm Sewers

Upon annexation the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the property owners of the annexation area. It is the City's policy that the financing of storm sewers be the responsibility of property owners.

ESTIMATED ANNUAL COST: \$0

L. Street Lighting

The Street Lighting Department will be responsible for maintaining and operating street lights in the annexation area. However, at present there are no street lights in the area. Therefore, there will be no cost for street lighting services.

ESTIMATED ANNUAL COST: \$0

M. Administrative Services

All administrative functions of the City will be available to the Merak Annexation Area within one year of the annexation date. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are prepared with the expectation that the City will annex several areas during the budgetary period. Therefore, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund, the State, and the Federal government.

ESTIMATED ANNUAL COST: \$0

## SECTION FIVE

### FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to report the expenditures from the proposed Merak Annexation. This section will also provide a five-year summary of the expenditures compared with the revenues. It should be noted that the following financial projections do not reflect the expenditures and revenues that will be generated from the expected development in the Merak Annexation area.

#### A. REVENUES

Property taxes are the main source of revenue to be received from the Merak Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Adams Township Assessor. The formula for computing tax revenue is shown in Table 2.

TABLE 2

	$\frac{V-E}{100}$	(T)	=	TR
WHERE:	V	=		Assessed Valuation
	E	=		Home Mortgage Exemption (\$1,000)
	T	=		Tax Rate Difference
	TR	=		Tax Return

TAX REVENUE FORMULA

The total assessed valuation of the proposed Merak Annexation is \$9,700. Therefore, \$9,700 is then computed with the City's present tax rate less that part the residents are presently paying (the tax rate as shown in Table 3, is 3.9039). The computation equals \$361.00 in property tax revenues. Finally, a 20 percent individual tax credit is deducted from this figure. Therefore, the total amount of property tax revenue that will be paid by residents of this area will be \$289.00. The 20 percent deduction will be returned to Fort Wayne by the state with revenues raised by the state sales tax. The total revenues received by the City from this annexation will be \$361.00 when the property tax relief revenues from the state are received.



TABLE 3

Corporation General	\$2.5270
Redevelopment General	.0109
Sewer Fund	.0224
Corporation Bond	.3511
Fire Pension	.2167
Police Pension	.1797
Park General	.3952
Sanitary Officers Pension	.0200
Public Transportation	.1183
Public Transportation Bond	.0626
	<hr/> 3.9039

## TAXING DISTRICT RATE

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 4. Capital costs are separated from operating costs, and they are considered as maximum expenditures. Since the needs of the annexation area must be treated equally with the needs of other areas in Fort Wayne, capital improvement projects such as the installation of streets, curbs, and sidewalks must follow routine city procedures which often require petitioning. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

TABLE 4

	CAPITAL COSTS	OPERATING COSTS
Police Department	\$ .00	\$ .00
Fire Department	.00	.00
EMS	.00	.00
Solid Waste Disposal	.00	.00
Traffic Control	.00	.00
Streets	.00	.00
Street Lighting	.00	.00
Parks	.00	.00
Water	.00	.00
Fire Hydrants	.00	.00
Sanitary Sewer	.00	.00
Storm Sewer	.00	.00
Administrative Functions	.00	.00
	<hr/>	<hr/>
TOTALS	\$ .00	\$ .00

## EXPENDITURES

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Merak Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years a 3.8 percent inflation factor for municipal expenditures, and a 5 percent increase factor for City revenues. The 3.8 percent inflation factor is the rate of inflation from October 1984 to October 1985 as calculated by the U.S. Department of Labor. The revenue factor is derived from the percent increase of assessed valuation in Indiana. This increase is applied to the City's allowed levy ceiling.

Table 4 includes both capital and operating costs in the estimated first year expenditures. Capital costs are a one time expenditure to upgrade the proposed annexation area.

Property tax revenue from the annexation area will not be collected until 1988. Assuming the area is annexed in 1986, assessment will not occur until March of 1987, with revenues being collected in 1988.

TABLE 5

	EXPENDITURES	PROPERTY TAX REVENUE	BALANCE
1987	\$ .00		
1988	.00	\$ 379.00	\$ 379.00
1989	.00	398.00	398.00
1990	.00	418.00	418.00
1991	<u>.00</u>	<u>439.00</u>	<u>439.00</u>
Total	\$ .00	\$ 1,634.00	\$1,634.00

REVENUES MINUS EXPENSES

D. RECOMMENDATION

This Fiscal Plan which meets the state law requirements that a fiscal plan be prepared, shows that the Merak Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance, this area should be annexed by the City of Fort Wayne sixty days after the second newspaper notice.

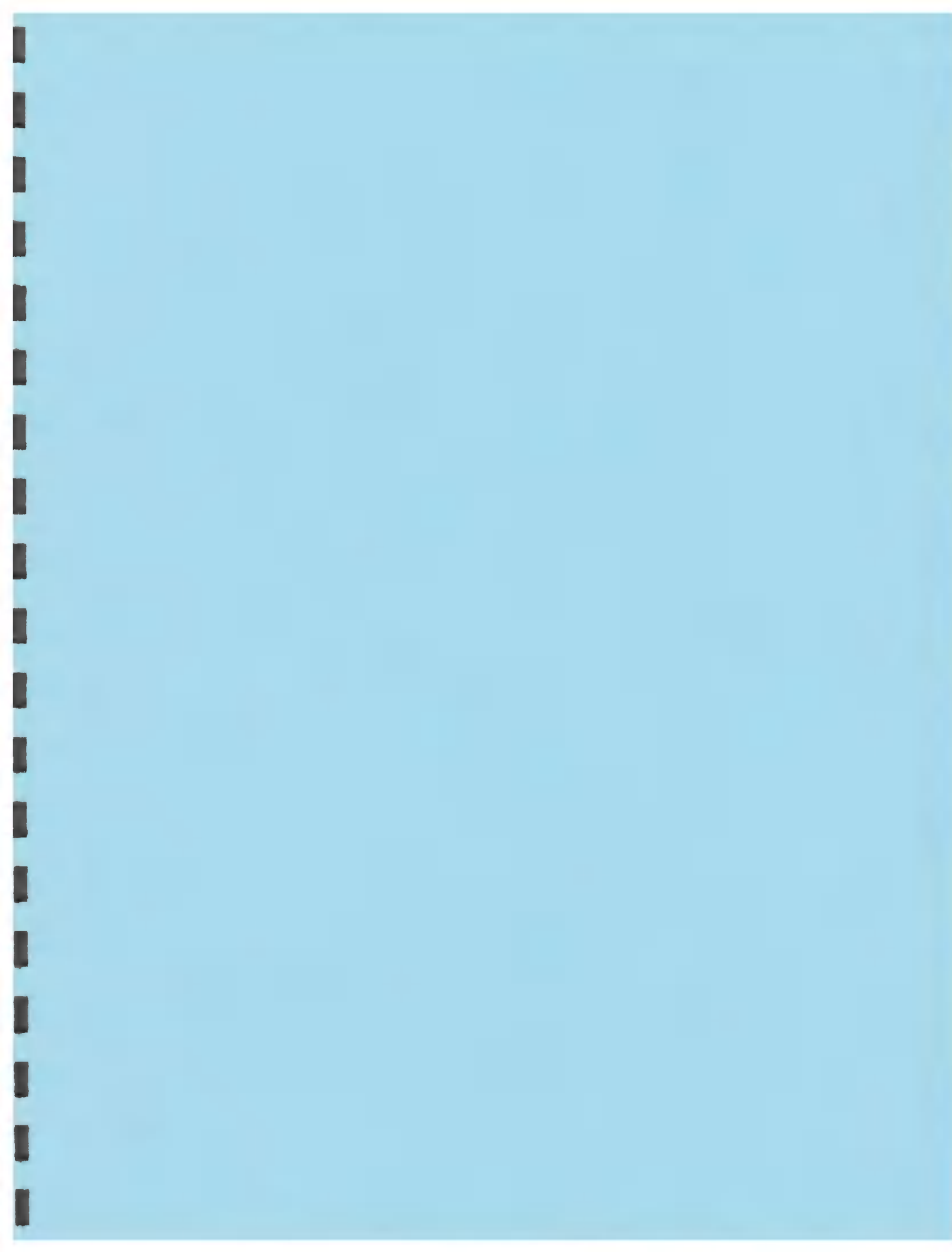


APPENDIX:

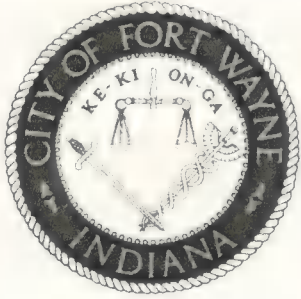
MERAK ANNEXATION LEGAL DESCRIPTION

Part of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana; thence South along the East line of the SW 1/4 Sec. 36-30-12, a distance of 400.0 feet to the Point of Beginning; thence continuing South along said East line of the SW 1/4 of Sec. 36-30-12, 2060.0 feet; thence West with a deflection angle to the right of 89 degr. 35 min. 40 sec. a distance of 1314.0 feet to a point on the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12; thence North with a deflection angle to the right of 90 degr. 19 min. and along the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 1148.0 feet; thence West with a deflection angle to the left of 90 degr. 22 min. 30 sec. along the South line of the N 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 656.34 feet; thence North with a deflection angle to the right of 90 degr. 27 min. 50 sec. a distance of 914.0 feet; thence East with a deflection angle to the right of 89 degr. 38 min. and parallel to the North line of the SW 1/4 Sec. 36-30-12, a distance of 1972.12 feet to the Point of Beginning, containing 75.98 acres, more or less.







# The City of Fort Wayne

September 25, 1986

Ms. Cynthia Wilkins  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Wilkins:

Please give the attached full coverage on the dates of  
September 29 and October 6, 1986, in both the News  
Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. X-86-09-07  
Annexation Ordinance No. X-06-86

Please send us 4 copies of the Publisher's Affidavit from  
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 23rd day of  
September, 1986, the Common Council of the City  
of Fort Wayne, Indiana, in a Regular Session did pass  
the following Bill No. X-86-09-07 --- Annexation  
Ordinance No. X-06-86 to-wit:

BILL NO. X-86- 09-07

ANNEXATION ORDINANCE NO. X- 06-86

ANNEXATION ORDINANCE annexing certain  
territory commonly known as the Merak Area to  
the City of Fort Wayne, Indiana, and including  
same in the Councilmanic District No. 5.

WHEREAS, at least fifty-one percent (51%) of the owners  
and owners of more than 75% of the assessed value of the herein  
described territory have petitioned for voluntary annexation of  
said territory; and,

WHEREAS, said territory is adjacent to the corporate  
limits; and,

WHEREAS, the City of Fort Wayne is desirous of annexing  
said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. That the following described territory  
shall be annexed to, and made a part of, the corporation of the  
City of Fort Wayne, Indiana, in accordance with the conditions  
set forth herein: to-wit:

Part of the Southwest Quarter of Section 36,  
Township 30 North, Range 12 East, Allen County,  
Indiana, more particularly described as  
follows:

Commencing at the Northeast corner of the South-  
west Quarter of Section 36, Township 30 North,  
Range 12 East, Allen County, Indiana; thence South  
along the East line of the SW 1/4 of  
Sec. 36-30-12, a distance of 400.0 feet to the  
Point of Beginning; thence continuing South along  
said East line of the SW 1/4 of Sec. 36-30-12,  
2060.0 feet; thence West with a deflection angle  
to the right of 89 degr. 35 min. 40 sec. a  
distance of 1314.0 feet to a point on the West  
line of the E 1/2 of the SW 1/4 of Sec. 36-30-12;  
thence North with a deflection angle to the right  
of 90 degr. 19 min. and along the West line of the  
E 1/2 of the SW 1/4 of Sec. 36-30-12, a distance  
of 1148.0 feet; thence West with a deflection  
angle to the left of 90 degr. 22 min. 30  
sec. along the South line of the N 1/2 of the SW  
1/4 of Sec. 36-30-12, a distance of 656.34 feet;  
thence North with a deflection angle to the right  
of 90 degr. 27 min. 50 sec. a distance of 914.0  
feet; thence East with a deflection angle to the  
right of 89 degr. 28 min. and parallel to the



4 publication. The above described territory shall become a part  
5 of the City of Fort Wayne sixty days after the date of last  
6 legal publication.

7  
8 Charles B. Redd

9  
n COUNCILMEMBER

Read the third time in full and on motion by Redd,  
seconded by Stier, and duly adopted, placed on its passage.  
PASSED by the following vote:

AYES: Nine  
Bradbury, Burns, Eisbart, GiaQuinta, Henry,  
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSENT: None

ABSTAINED: None

DATE: 9-23-86

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of  
Fort Wayne, Indiana as Annexation Ordinance No. X-06-86, on the  
23rd day of September, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy  
City Clerk

Samuel J. Talarico  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,  
Indiana, on the 24th day of September, 1986, at the hour of  
11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 24th day of September,  
1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify  
that the above and foregoing is a full, true and complete copy of  
\_\_\_\_\_  
Annexation \_\_\_\_\_ Ordinance No. X-06-86,  
passed by the Common Council on the \_\_\_\_\_  
23rd \_\_\_\_\_ day of  
\_\_\_\_\_  
September \_\_\_\_\_, 19 \_\_\_\_\_ 86, and that said Ordinance was  
duly signed and approved by the Mayor on the \_\_\_\_\_  
24th \_\_\_\_\_ day of  
\_\_\_\_\_  
September \_\_\_\_\_, 19 \_\_\_\_\_ 86, and now remains on file and  
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,  
Indiana, this \_\_\_\_\_  
24th \_\_\_\_\_ day of \_\_\_\_\_  
September \_\_\_\_\_, 19 \_\_\_\_\_ 86.

SEAL

SANDRA E. KENNEDY, CITY CLERK



Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To **NEW-SENTINEL** Dr.  
**P.O. BOX 100**  
**FORT WAYNE, INDIANA**

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

1

Body number of lines

128

Tail number of lines

1

Total number of lines in notice

130

## LEGAL NOTICE

Notice is hereby given that on the 23rd day of September, 1986, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-86-09-07 — Annexation Ordinance No. X-86-86 to-wit:

BILL NO. X-86-09-07

ANNEXATION ORDINANCE NO. X-86-86  
ANNEXATION ORDINANCE annexing certain territory commonly known as the Merak Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 5.

WHEREAS, at least fifty-one percent (51%) of the owners and owners of more than 75% of the assessed value of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory shall be annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, in accordance with the conditions set forth herein: to-wit:

Part of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana; thence South along the East line of the SW ¼ of Sec. 36-30-12, a distance of 400.0 feet to the Point of Beginning; thence continuing South along said East line of the SW ¼ of Sec. 36-30-12, 2060.0 feet; thence West with a deflection angle to the right of 89 deg. 35 min. 40 sec. a distance of 1314.0 feet to a point on the West line of the E ½ of the SW ¼ of Sec. 36-30-12; thence North with a deflection angle to the right of 90 deg. 19 min. and along the West line of the E ½ of the SW ¼ of Sec. 36-30-12 a distance of 1148.0 feet; thence West with a deflection angle to the left of 90 deg. 22 min. 30 sec. along the south line of the N ½ of the SW ¼ of Sec. 36-30-12, a distance of 656.34 feet; thence North with a deflection angle to the right of 90 deg. 27 min. 50 sec. a distance of 914.0; thence East with a deflection angle to the right of 89 deg. 38 min. and parallel to the North line of the SW ¼ of Sec. 36-30-12, a distance of 1972.12 feet to the Point of Beginning, containing 75.98 acres, more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police, protection and fire protection, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including sewer facilities, water facilities and storm-water drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of councilmanic District No. 5 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, approval by the Mayor, and due legal publication, this Ordinance shall be in full force and effect sixty (60) days after the date of last publication. The above described territory shall become a part of the City of Fort Wayne sixty days after the date of last legal publication.

Charles B. Redd  
COUNCILMEMBER

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine, Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None  
ABSENT: None  
ABSTAINED: None  
DATE: 9-23-86

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-86-86, on the 23rd day of September, 1986.

ATTEST: (Seal)

Sandra E. Kennedy, City Clerk

Samuel J. Talarico, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1986, at the hour of 11:00 A.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 24th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.

Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance

No. X-86-86, passed by the Common Council on the 23rd day of September, 1986, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of September, 1986, and now remains on file and on record in my office.

WITNESS my hand, and official seal of the City of Fort Wayne, Indiana, this 24th day of September, 1986.

SANDRA E. KENNEDY, CITY CLERK

9-29/10-6

..... equivalent lines at .....450¢ \$ 58.50

..... notices containing rule or tabular work (50 per cent of above amount) .....

..... of publication (50 cents for each proof in excess of two) 2 extra .....

.....OUNT OF CLAIM .....

1.00

\$ 59.50

12.5 picas

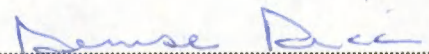
Size of type .....6..... point

2

Size of quad upon which type is cast .....6.....

Ch. 89., Acts 1967.

is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same



Title .....CLERK.....

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ..... Denise Ricci ..... who, being duly sworn, says

that he/she is .....CLERK..... of the

.....NEWS-SENTINEL.....

a .....DAILY..... newspaper of general circulation printed and published

in the English language in the city .....FORT WAYNE, INDIANA..... town of .....

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for .....two times....., the dates of publication being

as follows:

9/29 - 10/6/86

Subscribed and sworn to me before this .....6th..... day of .....October..... 1986

Shelley R. LaRue Notary Public

March 3, 1990

My commission expires .....



## Allen

County, IN

To ..... **JOURNAL-GAZETTE** ..... Dr.  
**P.O. BOX 100**  
**FORT WAYNE, INDIANA**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

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128

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130

9--29/10--6 SANDRA E. KENNEDY, CITY CLERK

1

130

.450¢

58.50

2 extra

1.00

of publication (50 cents for each proof in excess of two)

59.50

## AMOUNT OF CLAIM

12.5 picas

Size of type ..... **6** ..... point

2

Size of quad upon which type is cast ..... **6** .....

Ch. 89., Acts 1967.

is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Louise Ricci

Title **CLERK****JOURNAL-GAZETTE**

DAILY

a ..... **DAILY** ..... newspaper of general circulation printed and published

in the English language in the city of **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy.

which was duly published in said paper for ..... **two times** ..... the dates of publication being as follows:

9/29 - 10/6/86

Denise Ruck

Subscribed and sworn to me before this 6th day of October 19 86

Shelley R. LaRue Notary Public

My commission expires March 3, 1990



Fort Wayne Common Council

(Governmental Unit)  
Allen

County, IN

To NEW-SENTINEL Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1

128

1

130

## COMPUTATION OF CHARGES

130 lines, 1 columns wide equals 130 equivalent lines at .450¢ \$ 58.50  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00

TOTAL AMOUNT OF CLAIM \$ 59.50

## DATA FOR COMPUTING COST

Width of single column 12.5 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Oct. 6, 1986

Title CLERK

FORM #903

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Denise Ricci who, being duly sworn, says

that he/she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/29 - 10/6/86

Subscribed and sworn to me before this 6th day of October, 1986

Shelley R. LaRue Notary Public

My commission expires March 3, 1990



Fort Wayne Common Council  
(Governmental Unit)  
Allen County, IN

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	1
Body	number of lines	128
Tail	number of lines	1
Total number of lines in notice		130

COMPUTATION OF CHARGES

130 lines, 1 columns wide equals 130 equivalent lines at .450¢ cents per line	\$ 58.50
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra	1.00
TOTAL AMOUNT OF CLAIM	\$ 59.50

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Oct. 6 19 86

Title CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Denise Ricci who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:

9/29 - 10/6/86

Subscribed and sworn to me before this 6th day of October 19 86

Shelley R. LaRue Notary Public

March 3, 1990

My commission expires

NOISIAV EAST DIVISION  
National League  
Monday's Games  
(Fort Wayne times)  
Toronto (Cerule 9-3) at New York  
Boston 12, Toronto 3  
New York 10, Detroit 2  
Minnesota 6, Chicago 1  
Milwaukee 10, Baltimore 2  
Kansas City 6, Oakland 2  
Texas 4, California 3  
Cleveland 5, Seattle 4, 12 innings  
Monday's Games  
Oakland 6, Kansas City 3, 1st game  
Oakland 9, Kansas City 6, 2nd game  
Baltimore 7, Milwaukee 0  
Cleveland 12, Seattle 4  
Fort Wayne, Indiana, this 24th day of September, 1986.  
SANDRA E. KENNEDY, CITY CLERK  
9-29/10-6